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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,552	06/14/2001	Darryl W. Peters	5709	6836

7590 12/06/2002

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EXAMINER

WEBB, GREGORY E

ART UNIT	PAPER NUMBER
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1751

4

DATE MAILED: 12/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

ms 4

**Office Action Summary**

Application No.

09/881,552

Applicant(s)

PETERS ET AL.

Examiner

Gregory E. Webb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps. The applicant's claim 20 currently does not recite a limiting step. A process or method claim requires at least one step. In the instant case it is suggested that the applicant include a step such as mixing components.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanabe et al (US 5,905,063).
3. Tanabe teaches "A remover solution composition for resist which comprises (a) a salt of hydrofluoric acid with a metal-free base, (b) a water-soluble organic solvent, and (c) water and optionally (d) an anticorrosive, and has a pH or 5 to 8."
4. Tanabe teaches in claim 3, "The remover solution composition for resist as claimed in claim 1, wherein component (a) is ammonium fluoride"
5. Tanabe teaches in claim 2, "The remover solution composition for resist as claimed in claim 1, wherein component (a) is a salt of hydrofluoric acid with at least one metal-free base

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selected from the group consisting of hydroxylamines; primary, secondary, or tertiary aliphatic alicyclic, aromatic and heterocyclic amines; ammonia water; and C.sub.1 to C.sub.4 lower alkyl quaternary ammonium salt groups"

6. Tanabe teaches the water-soluble solvent in claim 5, "a water-soluble organic solvent which is at least one solvent selected from the group consisting of dimethyl sulfoxide, 3,3-dimethyl-2-imidazolidinone, and diethylene glycol monobutyl ether"

7. Tanabe generally teaches the water-soluble solvent to be "Examples of the water-soluble organic solvents include sulfoxides, sulfones, amides such as N,N-dimethylacetamide, lactams such as N-methyl-2-pyrrolidone, imidazolidinones, lactones, and polyhydric alcohols (e.g., ethylene glycol, ethylene glycol inonomethyl ether, ethylene glycol monoethyl ether, ethylene glycol monobutyl ether, ethylene glycol, etc."

8. Tanabe teaches corrosion inhibitors in amounts ranging from 0.5 to 15% including triazole compounds such as benzotriazole, o-tolyltriazole, m-tolyltriazole, p-tolyltriazole, carboxybenzotriazole, 1-hydroxybenzotriazole, nitrobenzotriazole, and dihydroxypropylbenzotriazole. Among these, preferred is benzotriazole.

9. Tanabe teaches weight percentages of the individual components in the following ranges: "In the case where the composition of the present invention comprises components (a) to (d), it is desirable that the content of component (a) is from 0.2 to 8% by weight, preferably from 0.5 to 5% by weight; the content of component (b) is from 40 to 80% by weight, preferably from 55 to 75% by weight; the content of component (d) is from 0.5 to 15% by weight, preferably from 0.5 to 10% by weight; and the remainder is component (c). If the amount of each component is

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outside the range shown above, the composition is impaired in the removability of modified films and in noncorrosive properties. "

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory E. Webb whose telephone number is 703-305-4945. The examiner can normally be reached on 9:00-17:30 (m-f).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 703-308-4708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9310 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0661.

A handwritten signature in black ink, appearing to read 'Gregory E. Webb', with a stylized, cursive script.

Gregory E. Webb  
Primary Examiner  
Art Unit 1751

gw  
December 2, 2002